

CITY OF SAN JOSÉ, CALIFORNIA
 Department of Planning, Building and Code Enforcement
 801 North First Street, Room 400
 San José, California 95110-1795

Hearing Date/Agenda Number
 H.L.C. 11/04/04 Item 4.a.

File Number
 CA04-001

Application Type
 Conservation Area Designation

Council District SNI
 3 Market-Almaden

Planning Area
 Central

Assessor's Parcel Number(s)
 Various

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Patrice Shaffer

Location: Generally bounded by rear of properties on Balbach Street to the north, rear of properties on South Market Street to the east, Highway 280 to the south, and Almaden Avenue to the west.

Gross Acreage: 10.5 Net Acreage: 10.5 Net Density: n/a

Existing Zoning: CG Commercial, DC-NT1
 Downtown Commercial-Neighborhood
 Transition, R-1-8 Single Family
 Residential, A(PD) Residential, & R-M
 Multi-family Residential

Existing Use: Primarily Single Family Residential

Proposed Zoning: No Change Proposed Use: No Change

GENERAL PLAN

Completed by: Patrice Shaffer

Land Use/Transportation Diagram Designation
 Medium Low Density Residential (8 DU/AC), Medium High Density
 Residential (12-25 DU/AC) & Core Area

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: Patrice Shaffer

North:	Public	DC & A(PD) Planned Development
East:	Commercial & Residential	DC-NT1, DC, & A(PD) Planned Development
South:	Commercial & Residential	CN, CG, R-M
West	Residential	DC-NT1

ENVIRONMENTAL STATUS

Completed by: Patrice Shaffer

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: Patrice Shaffer

Annexation Title: Original City

Date: 03/27/1850

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Recommend Approval

Date _____

Approved by: _____

☐ Recommend Approval with Conditions

☐ Recommend Denial

 OWNER

 Various

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Patrice Shaffer

Department of Public Works

None received.

Other Departments and Agencies

None received.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

On September 21, 2004 the City Council adopted a resolution nominating a portion of the Market-Almaden SNI area for designation as a Conservation Area and directing the Department of Planning, Building and Code Enforcement to initiate the required process and proceedings to establish the Conservation Area, including outreach to community members and property owners. The proposed Conservation Area is generally bounded by the rear of properties on Balbach Street to the north, the rear of properties on South Market Street to the east, Highway 280 to the south, and Almaden Avenue to the west. The project site consists of four city blocks of mostly single-family residential properties and is located within the *Market-Almaden Strong Neighborhoods Initiative (SNI) Planning Area*. (See Map 1).

The Planning Commission endorsed, and the City Council approved, the *Market-Almaden Strong Neighborhoods Initiative Plan* in 2003. The *Plan* established as its "Top Ten" Priority Action Item #4, exploring establishing the Market-Almaden area as a Conservation Area.

In 2003 and 2004, the consultant, Archives & Architecture, evaluated the proposed Market-Almaden Conservation Area in a report entitled "Discussion of Potential Conservation Area" (attached) and updated Department of Parks and Recreation Forms (DPR) and Historic Evaluation Sheets. This report concludes that the proposed conservation area meets the City's criteria for designation as a Conservation Area and proposes its establishment. If established, the Market Almaden Conservation Area will be the first neighborhood to receive this designation since adoption of the April 6, 2004 enabling ordinance by the San José City Council. It should be noted that the report prepared by Archives & Architecture built upon the "Downtown San José

Historic Resources Survey Update Year 2000”, which found that the Market Almaden neighborhood may qualify as a conservation area.

The subject site is currently zoned CG Commercial, DC-NT1 Downtown Commercial-Neighborhood Transition, R-1-8 Single Family Residential, A(PD) Residential, and R-M Multi-family Residence; and designated Medium Low Density Residential (8 DU/AC), Medium High Density Residential (12-25 DU/AC) and Core Area on the General Plan Land Use and Transportation Diagram. The Historic Landmarks Commission will forward a recommendation on the designation to the Planning Commission for consideration at a public hearing on November 17, 2004 at 6:00 p.m. The Planning Commission will then forward a recommendation to the City Council for their consideration at a public hearing on December 7, 2004 at 7:00 p.m.

HISTORIC RESOURCE DESCRIPTION

The Archives & Architecture report describes the early settlement patterns, development and subdivision history of the proposed Market Almaden Conservation Area and is summarized in the following narrative.

Residential development began in the Market-Almaden area as early as the 1850s and was intensified in the 1880s. Hispanics were forced to relocate to the Market-Almaden area due to development pressures in the old pueblo areas. Up until the early twentieth century, families with Hispanic surnames were still a recognizable community in this area.

As the area continued to develop, a large portion of the area south of downtown and west of Market Street eventually became known as “Goosetown” possibly because of the *acequia* pond and the marshy character of the area which attracted migrating waterfowl. New immigrants and members of the lower economic working classes inhabited this area, which is reflected in the small vernacular houses that abound in the area. While Goosetown has been memorialized locally as an ethnic Italian neighborhood, nationwide the reference has also been associated with nineteenth century German immigrant neighborhoods. In the 1860’s German and Irish immigrants purchased *suertes* owned by the earlier pueblo residents in the vicinity of the Market-Almaden neighborhood. Several German businesses were located in or adjacent to this area and significant German American business owners lived in the neighborhood, including Balbach and Greeninger, the carriage manufacturers and Dietz and Dittus, the butchers. Additionally, the German Turn Verein Hall was located near by on South First Street, between San Carlos and San Salvador Streets.

Goosetown is best known as the ethnic neighborhood of the Italians from the late 1890s to World War II, and is more generally centered on the larger area from the Market-Almaden neighborhood south to the Cottage Grove area near Alma Street. The exact boundaries of Goosetown are not well defined. Italian immigrants in small numbers were occupying the Market-Almaden area as early as 1870. The Italians arriving in the 1890s were quick to make Goosetown their own, extending their old River/St. John Streets neighborhood south along the eastern bank of the Guadalupe River to at least Alma Street. This ethnic community soon dominated the area that had previously been primarily occupied by the German and Irish immigrants. Italian businesses in the area included bakeries. Best known and still in operation is the Roma Bakery (1911), at the southwest corner of Grant and Almaden Boulevard just to the south of the Market-Almaden neighborhood. As the initial waves of immigration faded, the neighborhood, like other ethnic neighborhoods in the core area was soon to become multi-ethnic as it remains today.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15307 of the State Guidelines for Implementation of the California

Environmental Quality Act (CEQA), this project is found to be exempt from environmental review in that the project is limited to an action taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

GENERAL PLAN CONFORMANCE

The proposed project is consistent with the General Plan's Historic, Archaeological and Cultural Resources Goal to preserve historically significant structures and districts in order to promote a greater sense of awareness and community identity and to enhance the quality of urban living. More specifically, the Conservation Area is consistent with Historic, Archeological and Cultural Resources Policies # 1 and 6. Policy #1 states: *"Because historically or archeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process."* Policy #6 states: *"The City should foster the rehabilitation of individual buildings and districts of historic significance and should utilize a variety of techniques and measures to serve as incentives toward achieving this end."*

ANALYSIS

In the newly adopted ordinance, the definition of a conservation area is as follows: *"Conservation Area" means a geographically definable area of urban or rural character with identifiable attributes embodied by: (1) architecture, urban design, development patterns, setting, or geography; and (2) history.* The criteria for designation as a Conservation Area includes meeting the intent as defined above, and must meet one or both of the following criteria:

- 1. The neighborhood or area has a distinctive character conveying: (1) a sense of cohesiveness through its design, architecture, setting, materials, or natural features; and (2) its history, or*
- 2. The neighborhood or area reflects significant geographical or developmental patterns associated with different eras of growth in the City.*

The "Discussion of Potential Conservation Area" recently prepared by Archives & Architecture concluded that, while the Market Almaden neighborhood did not adequately represent the historic pattern of development in the area to a level of significance required by the Historic Preservation ordinance for designation as a historic district, the area would meet the criteria for designation as a conservation area. The neighborhood was determined to meet the criteria because it has a distinctive character, and maintains a sense of cohesiveness through its urban topology, vernacular architecture, physical setting, preservation of original construction materials, and history. More specifically the proposed Market Almaden Conservation Area contains the following physical attributes that make it eligible for Conservation Area designation:

- It has clear and understandable boundaries that accentuate its sense of community,
- It has fairly consistent lot sizes with reasonably consistent setbacks,
- The predominant vernacular single-family residences are of a homogeneous scale and massing and the existing commercial and architect-designed residences are in keeping with the scale of the rest of the development,
- The neighborhood buildings, although of different styles, are from a concentrated period of significance—late 1880s to 1940,
- There is a concentration of historic buildings dating from the period of development,
- The present built environment as a whole represents the period of development through the retention of original exterior materials, building form, streetscape rhythm, and setting, and

- Recent changes—to individual houses as well as to lots—have not adversely affected the scale and massing of the rhythm of the neighborhood.

Should the Market-Almaden Conservation Area be established then all of the properties within the Conservation Area will be listed on the City of San Jose Historic Resources Inventory. Exterior changes to any single family structure in the Conservation Area, which trigger a building permit, would require a Single Family House permit and would need to conform to the guidelines “Your Old House: Guide for Preserving San Jose Homes”. The majority of these Single Family House permits would be administrative, or reviewed and approved by staff. Applications that exceed floor area ratios and height limitations defined in sections 20.100.1000 – 20.100.1110 of the Zoning Ordinance would be subject to Director’s Hearing. The conservation designation would not, by itself, create the need for additional permits for other types of development projects, including commercial and non-single family residential projects. However, new development projects or exterior modifications to structures within or adjacent to the proposed Conservation Area would be reviewed by staff as part of the applicable permitting process as well as for compatibility with the goals of the Conservation Area.

Conclusion:

The Market Almaden neighborhood, as a place, presents a unique and distinct experience of visual aspects of urban life in San José from the late nineteenth and early twentieth century that continues to exist in contemporary times. The establishment of the proposed Conservation Area will contribute towards the preservation and enhancement of this unique area and will help preserve it, for present and future generations, as a link to San Jose’s past.

COMMUNITY OUTREACH

At their June 15, 2004 meeting the Market-Almaden Neighborhood Advisory Committee passed a motion 10 to 0 to accept the “Discussion of Potential Conservation Area” study and recommend that the City initiate the process to establish the Market Almaden Conservation Area.

A property owners’ meeting was held on Wednesday October 13th. All property owners within the proposed Conservation Area were invited. Seven property owners attended. Questions were raised about the permitting process required should a Conservation Area be established. Staff described the process outlined in the above analysis section of this report. No opposition to the proposed Conservation Area was expressed at this meeting and a number of property owners expressed support for the proposal.

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 500 feet of the subject site.

RECOMMENDATION

Planning staff recommends that the Historic Landmarks Commission, after holding a public hearing on the subject proposal, recommend that the Planning Commission recommend approval to the City Council to approve the designation of the subject area as the Market-Almaden Conservation Area

PBCE002/Historic/CA Nominations/CA04-001 HLC SR